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MAY 31 2019

TOWN OF LOS GATOS
PLANNING DIVISION

May 30, 2019

Appeal of The Decision of Development Review Committee - Reasons appeal should be granted.

Plans for 16 Chestnut Avenue were approved with conditions by the DRC on May 21, 2019. We are appealing the following condition(s):

*TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:
Engineering Division*

59. DRIVEWAY APPROACH: The Owner or Applicant shall install one (1) Town standard residential driveway approach. The driveway shall meet the Town's Engineering Design Standards and be located on Chestnut Avenue at a minimum distance of 50 feet from the nearest curb return at the southwestern corner of Chestnut and Hernandez Avenues (see Section 2.21). The new driveway approach shall be constructed per Town Standard Plans and must be completed and accepted by the Town before a Certificate of Occupancy for any new building can be issued. New concrete shall be free of stamps, logos, names, graffiti, etc. Any concrete identified that is displaying a stamp or equal shall be removed and replaced at the Contractor's sole expense and no additional compensation shall be allowed, therefore.

The existing driveway is at the corner of Chestnut Ave. and Hernandez Ave. The two existing columns flanking the driveway entrance are considered a marker in the neighborhood, along with the large Oak tree the driveway straddles. The homeowners have been a part of this neighborhood since 2003 and have chosen to stay because they enjoy the area, charm and character of the neighborhood. They previously owned two other homes on Chestnut Ave. (15 & 21) before moving to 16 Chestnut Ave.

Relocation of driveway per Town's Engineering Design Standards will negatively impact the existing Oak and alter the existing grade, which would require the existing Oak to be removed. Also, it will likely require the relocation of the existing utilities/joint pole, and removal of additional trees along Chestnut Ave.

Reasons to maintain the existing driveway entrance and columns:

- Original to the property and consistent with most other surrounding neighbors.
- Maintains the original character and charm of the neighborhood.
- No known accidents due to driveway location, location is not a hazard.
- Is at a safe intersection with stops on all three sides.
- Provides clear site visibility and distance from both exiting the driveway as well as cars entering intersection from adjacent streets and driveways
- Maintains existing driveway and grade to not impact existing Oak tree, keeping tree.
- Easy ingress/egress to property: cars drive around tree and exit forward facing (no need to back-out of driveway).
- Civil engineering studies and arborist consultation show maintaining the existing driveway is the best solution for the property and less impactful overall.
- Site restraints impose limited alteration/modification to the existing residence.

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- This corner property is unique in that it has three street facing sides vs two.
- Being a pre-1941 home requires the home use the requirements for a historic structure, limited to no more than 25% of walls facing a public street to be removed. If exceeding 25%, the project is considered a demolition. A technical demolition was incurred due to the robust design review and collaboration process with the Historical Preservation Committee (HPC), and was also recommended by them with no objections.
- No design objections from Planning and the Consulting Town Architect.

The design of the new home and garage have been done in a way to maintain the look of the existing home and enhance the craftsman features/elements. The Town's Engineering Design Standards of installing a new residential driveway approach a minimum of 50-feet from the corner of Chestnut and Hernandez Ave. will significantly impact and alter the property and neighborhood.